

FILED
2021 APR 14 PM 2:17
CLERK
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

Elaine Diane Gray,

Plaintiff,

v.

Ismael Tovar Lara, et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING MOTION TO
AMEND/CORRECT

Case No. 2:20-cv-00094-JNP-DBP

District Judge Jill N. Parrish

Chief Magistrate Judge Dustin B. Pead

This matter is before the court on Defendants' Motion to Amend/Correct.¹ (ECF No. 31.)

Defendants seek leave to file supplemental notice of allocation of fault pursuant to DUCivR 9-1(b) and Utah Code Ann. §78B-5-818.

Local Rule 9-1(b) provides, that the required information for any party seeking to allocate fault to a nonparty

must be included in a supplemental notice filed within a reasonable time after the party discovers the factual and legal basis on which fault can be allocated, but not later than any deadline specified in the scheduling order. Upon motion and good cause shown, the court may permit the party to file the information specified in subsection (a) after the expiration of any deadlines provided for in this rule, but in no event later than ninety (90) days before the scheduled trial date.

UT R USDCT CIV DUCivR 9-1(b) (2020). Here, trial has not been scheduled yet, and

Defendants assert that information regarding the allocation of fault became available during the

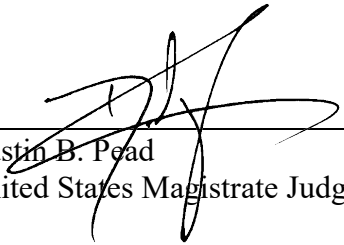
¹ District Judge Jill N. Parrish referred all nondispositive pretrial matters to the undersigned in accordance with 28 U.S.C. § 616(b)(1)(A). (ECF No. 5.)

discovery process. Plaintiff has not filed any opposition to the motion and the time to do so has passed.²

Accordingly, for good cause shown, the court GRANTS Defendants' Motion to Amend/Correct.

IT IS SO ORDERED.

DATED this 14 April 2021.



Dustin B. Pead
United States Magistrate Judge

² There is no requirement under the Local Rule that a party must file an opposition to a Motion to File Supplemental Notice of Allocation of Fault.